

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. WAYLON YOUNG BIRD, Defendant.	3:18-CR-30061-RAL ORDER DENYING REQUEST TO RECONSIDER
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On June 3, 2020, this Court entered an Opinion and Order Denying Motion for Sentence Adjustment, Doc. 188, denying Defendant's request for compassionate release under the First Step Act. Defendant filed a Notice of Appeal. Doc. 190. On August 11, 2020, Defendant requested that this Court reconsider the denial of his compassionate release, Doc. 202, which the Clerk of Court docketed as a motion to reconsider. Defendant sent a second letter to this Court one week later inquiring about release and providing additional information on his life. Doc. 203. The Government opposes Defendant's new request. Doc. 204.

Defendant's notice of appeal vests jurisdiction in the United States Court of Appeals for the Eighth Circuit over the Opinion and Order Denying Motion for Sentence Adjustment, which he now seeks this Court to reconsider. To the extent that this Court still has jurisdiction to reconsider a decision presently on appeal, this Court finds that Defendant's new submissions do not merit or justify a different decision. Therefore, it is hereby

ORDERED that Defendant's request to reconsider, Doc. 202, is denied.

DATED this 25th day of August, 2020.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Roberto A. Lange", is written above a horizontal line.

ROBERTO A. LANGE
CHIEF JUDGE